

THE WELL-DISPOSED PORTION OF THE INHABITANTS OF THIS CITY, who are well-disposed portion of the military police in case of necessity, I trust this necessity will not occur.

I come among you with no prejudices or enmities, and by the exercise of a just and firm administration I hope to command your confidence. Freedom of conscience, the use of your own reason, and mode of serving God are sacred rights guaranteed by the Constitution, with which it is not the province of the Government nor the disposition of its representatives in this Territory to interfere.

In virtue of my authority as Commander-in-Chief of the Militia of this Territory, I hereby command all armed parties of individuals, by whomsoever organized, to disband, and return to their respective homes. The penalty of disobedience to this command will subject the offenders to the punishment due to traitors.

A. CUMMING, Governor of Utah Territory.

LETTER TO BRIGHAM YOUNG.

GREEN RIVER CO., NEAR FORT BRIDGER, U. T., Nov. 21, 1857.

To Brigham Young, Esq., Governor of Utah.

On the 11th July, 1857, I was appointed by the President to be Governor of this Territory. Since my arrival within the limits of the Territory, I regret to find that many acts of violence have been committed against the highway, the destruction and robbery of property belonging to the United States. These acts, which indicate that the Territory is in a state of rebellion, are ascribed how truly I do not know, to yourself. A proclamation having been issued from you, and papers signed by your authority, found upon the person of Joseph Taylor, have been submitted to my inspection. The matter contained in those papers appears to commend some acts violent and treasonable acts—acts tending to the disruption of the peace of the Territory, and to direct their actors to the penalties accorded to traitors.

If these papers referred to be not authentic, I trust you will promptly disown them.

I herewith inclose a copy of my proclamation to the people of Utah.

You will oblige me by acknowledging the receipt of this by the returning messengers.

I am, Sir, very respectfully, your obt. &c.,
A. CUMMING, Governor Utah Territory.

THE ALLEGED OVER-PAYMENT TO HENRY ERBEN.

To the Editor of The N. Y. Tribune.

SIR: In a communication to the Board of Aldermen, Mr. Conover states that some three years ago I was erroneously overpaid \$9,000 by the Controller for damages to my property caused by the extension of Canal street. His statement arose by adding to the amount of mortgage held by the Life and Trust Co., to the amount awarded by the Commissioners, instead of subtracting it. I had not the slightest idea that a mistake, if any, had been made by the Controller, or that I had received any more than I was entitled to. The Controller's warrant or check was payable to the order of David Thompson, esq., President of the Life and Trust Co., and was received by him. Mr. Thompson deducted the amount of the mortgage held by the Life and Trust Co., and handed me the difference. My impression is, if there was any overpayment, it arose from the Controller neglecting to deduct from the award for damages what was charged for benefit on my property on the line of the new street. No doubt the Committee to whom the subject was referred will ascertain how the matter stands, and if more money was paid than should have been, it will be refunded to the Controller, with
HENRY ERBEN.

New York, Jan. 15, 1858.

For the better understanding of the matter, we append copies of the warrants and receipt:

THE WARRANTS.

New-York, April 30, 1856.
The Treasurer of the City of New-York at the Mechanics Bank:
Pay Henry Erben and N. Y. Life Insurance and Trust Co. Mortgage or order, thirteen thousand five hundred and fifty dollars, for his cash payment, under the order of the Comptroller.
F. VAN NOOD WOOD, Mayor. A. C. FLAGG, Controller.
D. T. VALENTEIN, Clerk.

New York, April 30, 1858.
The Treasurer of the City of New-York at the Mechanics Bank:
No. 1,190.
Pay Henry Erben and N. Y. Life Insurance and Trust Co. Mortgage or order, eleven thousand two hundred and fifty-five dollars, for his cash payment, under the order of the Comptroller.
F. VAN NOOD WOOD, Mayor. A. C. FLAGG, Controller.
D. T. VALENTEIN, Clerk.

THE RECEIPT.

Received from the Street Commissioners Warrants Nos. 1,179 and 1,190, for twenty-four thousand eight hundred and five dollars, in full for awards to Henry Erben and New-York Life and Trust Co. in the matter of the extension of Canal street.
New-York Life Insurance and Trust Co. by (Signed) D. THOMPSON, President.
J. E. ERBEN, Jr., Cashier.

ASHLANDERS' ANNIVERSARY FESTIVAL DINNER.—
The Ashlanders of this city last evening celebrated their eleventh anniversary by a festival dinner at the Waverley House, at which they sat down at about 8 o'clock. Robert C. Gwyer, esq., President of the Association, occupied the chair, with the Hon. F. A. Fallmaide on his right and Dr. Bacon on his left. Behind the chair was suspended the original flag used by the Association, on which was inscribed:

ASHLANDERS.
ORGANIZED BY RESOLUTION.
January 15, 1847.
"Palam qui Meruit Perat."

While on one side of the room hung a fine portrait of Henry Clay, surrounded with the "Stars and Stripes." After the banquet had finished feasting, Mr. Gwyer rose and said that the privilege had devolved upon him of presiding at this, the eleventh anniversary of the organization; that they had assembled on this occasion for the observance of the day, and for the expression of their devotion to the principles of Henry Clay—for the recognition of those principles which had been acted upon, tried, and proved successful. After alluding to the course pursued by the Association in favor of Millard Fillmore, the friend of Henry Clay, as well as the pupil and expounder of his principles, he concluded by expressing the satisfaction he experienced in seeing around him so many distinguished friends of his cause.

Lettres were received from Millard Fillmore, Washington Hunt, Ambrose C. Kingsland, Thomas H. Bond, Marshall O. Roberts, and other distinguished individuals, expressing with regret their inability to attend the festivities of the evening.

A number of toasts were drank, and appropriate speeches made in response thereto by the Hon. F. A. Fallmaide, C. C. Eagan, esq., John P. Dodge, esq., Counsellor Bunce, and others.

ACADEMY OF MUSIC.—The opera of Don Giovanni was performed last night to one of the fullest houses ever assembled at the Academy. The audience was very appreciative, and the favorite pieces, *Motomina, La ceneri, Battibatti, Fin che del vino*, were much applauded. The chorus *Liberia*, executed by the *Giedekranz* (very numerous), was tempestuously encouraged. After the fall of the curtain the principals were called before it. The increased force of the orchestra, the double chorus, the petit orchestra on the stage, the *crescendo* and tempo of the principals—*Medonca, A Grange, Caradori and D'Angri*, and Messrs. Laboietta, Ferraris, Gaspari, Ardanvini and Rocco—the crowded life of the auditory (and a crowd is fifty per cent of success), made it the most splendid performance of this celebrated opera that we have seen in this country. We must reserve a fuller notice for another day. We think Don Giovanni can be played successfully several times. The manager, Mr. Ulman, deserves particular credit for his mode of getting it up.

The following officers have been ordered to the U. S. ship-of-war Marion, now fitting at Norfolk for this African coast:

Captain—Thomas W. Greel, Lieutenants, Chas. M. Morton, W. D. Whitney, E. E. Stone, A. W. Weaver, Master, John H. Strickley, Passed Assistant Surgeons, Randolph F. Mason, Henry Estlin, J. W. Smith, Arthur George, James A. McLaughlin, Captain, Jo. S. Meier, Asst. Surgeon, Samuel A. Tenner.

The crew of the ship-of-war Marion, at Norfolk, are to be paid off and discharged at that place, and the vessel will go out of commission. The following is the list of her officers:

Commander—Robert G. Bohn, Lieutenants—John Downes, Robert D. Miller, Jesse C. Wheeler; Asst. Surgeons—Wm. G. Hay, Theodore Whitwell—George H. Grayson, Middlebury—V. L. Allen, George C. Clark, John Ferguson, Asst. Paymaster—Henry P. Parker, Clerk—John Ferguson, Asst. Paymaster—Henry P. Parker, Clerk—James D. McGowan, Asst. Surgeon—Chas. E. Baker, Asst. Surgeon—Commodore Bell, arrived at Palermo, December 15, from Naples.

The steamer built for Capt. Page's survey of the La Platte River during the summer, sailed on Wednesday under Capt. Black, from Rio de Janeiro, for Rosario, Argentina, and was built by Capt. Robert B. Forbes, with special reference to the peculiarities of river navigation, drawing but two feet of water.

The Government resumed specie payment at all the Navy Yards on Wednesday.